



**PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Maarten HENDRIX STUIVER, et al

Serial No.: 09/258,031

Group No.: 1636

Filed: February 25, 1999

Examiner:

For: ANTIFUNGAL PROTEINS, DNA CODING THEREFORE, AND HOSTS
INCORPORATING SAME

Attorney Docket No.: U-012121-2

**Commissioner Patents and Trademarks
Washington, DC 20231**

PRELIMINARY AMENDMENT

Sir:

Prior to an examination of this application, please amend the application as follows:

IN THE CLAIMS:

Please cancel claims 47 - 50.

Please amend the following claims.

Claim 13, line 2 after "to" delete "any of the claims 1 to 12" and substitute --claim 1--

Claim 23 (amended) A chimeric DNA sequence according to claim 22, further comprising a transcriptional initiation region and, optionally, a transcriptional termination region, linked to the open reading frame which is capable of expressing a protein [of any of claims 1 - 12], which has antifungal activity and which is obtainable from a plant source, encoded by the